

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NANYUKI

CRIMINAL REVISION NO.10 OF 2020

JOHN OMONDI WABWIRE.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

(Revision of the Original Sentence dated 10.12.2019 in Nanyuki Criminal Case No.1186 of 2018 – N. Thuku, PM)

23/03/2020

Before Justice H P G Waweru

In Chambers

ORDER ON REVISION

1. The convict herein, JOHN OMONDI WABWIRE, was sentenced on 10.12.2019 to a fine of Kshs.30,000= and in default to serve 6 months imprisonment for the offence of malicious damage to property contrary to Section 339(1) of the Penal Code. He did not pay the fine and is serving the default sentence.
2. Because of the current Coronavirus (COVID – 19) and in exercise of the powers of the court under Article 159(2) of the Constitution and Section 362 and 364 of the Criminal Procedure Code, I hereby set aside the default sentence of 6 months imprisonment and substitute therefore a default sentence of the term already served.
3. The convict shall therefore be set at liberty forthwith unless otherwise lawfully held. It is so ordered.

DATED AT NANYUKI THIS 23RD DAY OF MARCH, 2020

H.P.G. WAWERU

JUDGE.

DEPUTY REGISTRAR

NANYUKI HIGH COURT